

 KENTUCKY CORRECTIONS Policies and Procedures	Policy Number	Total Pages
	16.1	8
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	September 11, 2009	September 11, 2009
Authority/References KRS 196.035 and 197.020; <i>Bell v. Wolfish</i> , 411 U.S. 520 (1970); <i>Kentucky Dept. of Corrections v. Thompson</i> , 109 S.Ct. 1904, 104 L.Ed.2d 506(1989); ACA 4-4156, 4-4267, 4-4498, 4-4499-1, 4-4500, 4-4501, and 4-4503	Subject INMATE VISITS	

I. DEFINITIONS

"Immediate family" means the following:

1. parents, including step-parents and those who may have reared the inmate in place of parents,
2. grandparents,
3. brothers and sisters and other sibling relations, for example, half and step siblings,
4. spouse and children, including step-children or adopted children,
5. son-in-law, daughter-in-law, sister-in-law, brother-in-law, mother-in-law, father-in-law,
6. a child to whom the inmate, although not a natural parent, acted as a parent, and
7. grandchildren.

"Special Management" is defined by CPP 10.2.

II. POLICY and PROCEDURE

A. Visiting Facilities

1. The Warden shall provide a clean, comfortable, safe visiting area for the inmate and visitors and shall provide adequate supervision and security. If adequate space and funding is available, the Warden may have a portion of the visiting area equipped to provide activities for children.

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2. Regular visiting areas may be arranged to permit personal contact but the entire visiting area, visitors and inmates shall be continuously supervised.
3. Outdoor visiting areas may be provided inside the security perimeter and under the same degree of supervision as described in 1 and 2 above.
4. Areas for non-contact visits may be provided for inmates who have demonstrated a substantial security risk.

B. Visiting Times

Each Warden shall establish visiting times.

C. Frequency and Number of Visitors

1. The Warden may allow each inmate the opportunity to visit a minimum of eight (8) hours per month as permitted or restricted by this policy.
 - a. Visiting limitations and restriction of lengths of visits shall be established to avoid overcrowding.
 - b. Any visitor may be barred for security reasons.
2. The Warden shall establish consistent guidelines as to the maximum number of people, the number of visiting hours per month and the number of visits per visitor that an inmate may receive based on space allocation, staff resources, and the existence of a threat to security and order of the institution.
3. An exception may be made to any institutional guidelines if special circumstances arise; however, a request for an exception shall be made and approved one (1) week in advance by the Warden or his designee. Special circumstances shall include:
 - a. Distance the visitor travels;
 - b. Frequency of visits for a particular inmate;
 - c. Health problems of an inmate or visitor; or
 - d. A visit for business purposes if a decision is needed that substantially affects the assets or prospects of a business or property.

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4. Visiting shall be scheduled so that inmate work and programming schedules are not interrupted.

D. Allowed Visitors

1. Each institution shall maintain an approved visitation list for all inmates. An inmate may request visitation from any immediate family, as verified by the Presentence and Postsentence Investigation Report or other verified source. In addition to immediate family, an inmate may request visitation from three (3) additional adults. The visitation list may be updated twice a year based on the last digit of an inmate's institutional number:
 - a. January and July for digits 1 and 2
 - b. February and August for digit 3
 - c. March and September for digits 4 and 5
 - d. April and October for digit 6
 - e. May and November for digits 7 and 8
 - f. June and December for digits 9 and 0
2. A visitor shall complete a visiting information form and forward it to the warden's office or call and provide the information to the assigned Classification Treatment Officer before any visit shall be allowed. It is the inmate's responsibility to inform the potential visitor of this requirement and to send a form and the warden's address to the potential visitor. The visiting information form shall contain:
 - a. The inmate's name and number.
 - b. The requested visitor's:
 - (1) name
 - (2) address
 - (3) date of birth
 - (4) social security number
 - (5) sex
 - (6) race
 - (7) relationship to inmate

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An inmate shall not receive a completed visitor information form from a visitor or submit it to a Classification and Treatment Officer.

3. If an inmate does not have any immediate family, the Warden may, at his discretion, increase the number of adult visitors.
4. An individual shall not be allowed to visit an inmate unless his name appears on the approved visitation list.
5. The visitation list shall originate at the institution that the Presentence and Postsentence Investigation Report is initially received.
6. Falsification of visitor information may be cause to deny approval of the visitor and may result in disciplinary action.
7. A visitor shall not be placed on more than one (1) inmate list unless both inmates are immediate family members of the visitor. The relationship may be verified by the Warden's designee.
8. A visitor shall not visit more than one (1) inmate unless authorized by the Warden or his designee.
9. Children under the age of eighteen (18) shall not visit unless approved and included on the inmate's visiting list and accompanied by a parent or legal guardian or by another immediate family member with written parental or guardian approval. The name of the parent, legal guardian or other immediate family member accompanying the child shall be included on the approved visitation list.
 - a. A non-parent or guardian family member accompanying a minor shall have the written, signed and notarized consent of the parent or guardian. This consent shall be presented to the visiting officer upon registration.
 - b. A person under the age of eighteen (18) who provides proof of marriage to an inmate may be placed on the visiting list.
10. Persons exempted from the visitation list: attorneys, clergy, governmental officials, law enforcement officials visiting on official business or approved volunteers, may be approved for visitation on a case by case basis with prior written approval of the Warden or his designee.

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11. Visitation by an ex-offender, parolee, probationer, or former Department of Corrections employee shall not be permitted without prior approval by the Warden or his designee, the Parole or Probation Office, if applicable, and shall not occur until one (1) year following: (a) the date of release from an institution for either parole or conditional release; (b) placement on probation status; or (c) termination of employment with the Department of Corrections.

E. Excluded Visitors

A visitor may be excluded from the institution if:

1. The presence of the visitor in the institution constitutes a probable danger to institutional security or interferes with the orderly operation of the institution.
2. The visitor has a past record of disruptive conduct.
3. The visitor is under the influence of alcohol or drugs.
4. The visitor refuses, upon request from the officers, to show proper photo identification. If it is an initial visit, the visitor may be permitted entry without proper identification; however, any subsequent visit shall not be permitted unless photo identification is provided.
5. The visitor refuses upon request from a correctional officer to submit to a search.
6. The visitor is directly related to the inmate's criminal behavior.

F. Identification

Each visitor eighteen (18) years of age and above shall be required to show proof of identification with a driver's license or photo identification.

G. Inmates in Administrative Visiting Controls

1. An inmate in disciplinary segregation may be allowed normal visiting times and hours in a restricted setting.
2. Other inmates in Special Management may be allowed normal visiting hours but may be restricted to a more secure visiting area if a threat to the security or order of the institution exists.

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3. An inmate found guilty of a Category IV(2) disciplinary report shall be allowed visitation on a restricted schedule or in a non-contact area for a period of six (6) months from the time of the Adjustment Committee hearing. The maximum security facility shall impose non-contact visitation for one (1) year.
4. A subsequent conviction of a Category IV(2) or Category VI(15) disciplinary report shall result in non-contact visiting for a period of one (1) year per conviction. These visiting restrictions shall run consecutively.

H. The Visit

1. An inmate in the regular visiting area shall be allowed brief physical contact (example: holding hands, kissing, and embracing). This contact shall be permitted within the bounds of good taste and only at the beginning and end of the visit.
2. Sexual stimulation or activity shall be strictly prohibited.
3. While in the visiting area, the inmate shall be subject to rules and regulations of Corrections and the institution.
4. The inmate shall be frisked or strip searched before and after visits.
5. The inmate may be restricted to few or no articles in his possession while in the visiting area.
6. Children shall be under control at all times and shall be the responsibility of the accompanying adult.
7. Staff shall supervise every inmate visit to insure the security and order of the institution.
8. The visitor and inmate shall be treated in a courteous and positive manner. Instructions shall be given in a firm but positive manner.
9. A visit shall be conducted in a quiet and orderly manner and may be terminated if visiting guidelines are not adhered to or the inmate or visitor becomes disruptive.

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10. The inmate may hold his minor child, or minor stepchild, on his lap in an appropriate manner during the visit. Any inappropriate behavior may lead to an immediate termination of the visit and possible disciplinary action.

I. General Visiting Procedures

1. Each adult visitor shall be identified and required to register upon entry to the institution.
2. Minors or children included on the approved visiting list shall be registered by the accompanying parent or guardian.
3. Staff may require a visitor to submit to a personal search of his person, any object brought with him and any vehicle brought on to institutional grounds, as a condition of allowing or continuing a visit. A consent form shall be available if any visitor is to submit to a strip search or body cavity search. Staff shall conduct all searches pursuant to CPP 9.8.
4. A visitor shall not be permitted to possess a communication or recording device as defined in CPP 3.20.
5. A copy of the institution's visiting rules and regulations shall be made available to the visitor.
6. The visiting room staff shall not accept an article, food or gift of any kind from an inmate or visitor.
7. All institutions shall post a copy of KRS 520.050 and 520.060 that prohibit contraband and cite the criminal penalty for violations.

J. General Dress Code

Each institution shall require a dress code for visitors and inmates.

1. The dress code shall define the type of clothing allowed.
2. Clothing shall be in good taste.

K. Penalty for Violation of Visiting Regulations

1. A violation of the visiting guidelines or laws may result in visiting restrictions or disciplinary action against the inmate.

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2. Criminal prosecution may be initiated against the visitor, the inmate or both in case of a criminal violation.
3. A visitor may be restricted for a specific period of time or permanently for violation of institutional rules and regulations or violations of law.
4. A individual involved in the following rule violations shall not be approved as a visitor or have visiting privileges reinstated:
 - a. smuggling or attempting to smuggle dangerous contraband into an institution,
 - b. assisting or aiding in the planning of an escape or attempted escape, or
 - c. an employee or volunteer who developed a relationship with an inmate that was unrelated to correctional activities.

DEPARTMENT OF CORRECTIONS
VISITING INFORMATION FORM

The inmate below has requested to add your name to his/her approved visiting list. Please complete this form and return it to the address below. Please be reminded that falsification of any of the information may result in denial of visiting privileges.

Inmate Information:

Name _____ Number _____

Institution _____

Inmate Signature _____ Date _____

Visitor Information:

Name _____

Address _____

City _____ State _____ Zip Code _____

Telephone No. _____ Date of Birth _____

Social Security No. _____ Sex: M _____ F _____ Race _____

Relationship to inmate _____

Are you an: _____ If yes, date of release _____

Ex-offender Yes/No _____

Parolee or Probationer Yes/No _____

Former Dept. of Corrections Employee Yes/No _____

Visitor Signature _____ Date _____

Return to: _____

Or phone this information to: _____

To be filled in by CTO

On PSI _____ Not On PSI _____

Comments: _____

CTO Signature _____ Date _____